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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,332	08/14/2001	Ross A. Jeffery	1595-17/MBE	6683
38735 7590 01/22/2010 DIMOCK STRATTON LLP 20 QUEEN STREET WEST, 32nd FLOOR, BOX 102 TORONTO, ON M5H 3R3 CANADA				
EXAMINER				
SHEPARD, JUSTIN E				
ART UNIT		PAPER NUMBER		
2424				
MAIL DATE		DELIVERY MODE		
01/22/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Response to Arguments***

Applicant's arguments filed 12/18/09 have been fully considered but they are not persuasive.

The applicant's arguments rely on the idea that the references do not teach a unicast system, but instead teach a multicast system. The examiner finds nothing in the claims that state that the device unicasts programming to the requesting user. Instead the claim states that a single selected channel is output on a single signal. This could be a system such as a Near-Video on Demand (NVOD) wherein multiple users request the same program and the users are grouped together on a multicast channel. As it seems that the unicast portion of the invention is a distinguishing part of the invention, the applicant is invited to add in details to the claims that teach this concept.

The applicant is invited to fax in possible amendments (571-273-5967) before officially submitting them, so as the examiner can inform the applicant whether or not the amended claims would get around the cited prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher Kelley/  
Supervisory Patent Examiner, Art  
Unit 2424

JS